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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 McKENNA DUFFY and MICHAEL BRETT,
11 individually and on behalf of all others
12 similarly situated,

13 Plaintiff,

14 v.

15 YARDI SYSTEMS, INC., et al.

16 Defendants.
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Case No. 23-cv-1391RSL

STIPULATED MOTION AND ORDER
RE: BRIEFING SCHEDULE/
PROCEDURE

Pursuant to Local Civil Rules 7(d)(1) and 10(g), Plaintiffs McKenna Duffy and Michael Brett (“Plaintiffs”), and Defendant R.D. Merrill Real Estate Holdings, LLC (“Merrill”), by and through their respective counsel, hereby stipulate as follows:

1. WHEREAS, on October 31, 2023, the Court granted in part Plaintiff’s Motion to Deem R.D. Merrill Real Estate Holdings, LLC, Substituted for Pillar Properties, LLC, and directed that Plaintiff’s amended complaint be served on Merrill. (ECF No. 108);

2. WHEREAS, on November 15, 2023, the First Amended Class Action Complaint was served on Merrill. (ECF No. 121);

3. WHEREAS, pursuant to Rule 12 of the Federal Rules of Civil Procedure, the deadline for Merrill to file its answer or otherwise respond to the First Amended Class Action Complaint currently is December 6, 2023.

THEREFORE, Plaintiffs and Merrill STIPULATE AND AGREE that:

In the interest of judicial efficiency, Plaintiffs and Merrill will adopt the Rule 12 briefing schedule and procedures in the Court’s November 9, 2023 Order (ECF No. 118) for Merrill’s Rule 12 response to the First Amended Class Action Complaint.

In the interest of judicial efficiency, the previously filed Joint Status Report (ECF No. 119) should apply to Merrill as if Merrill were a signatory as a Lessor Defendant to that document, such that Plaintiffs and Merrill need not submit a duplicative Joint Status Report.

STIPULATED to this 1st day of December, 2023.

IT IS SO ORDERED this 4th day of December, 2023.



Robert S. Lasnik
United States District Judge

DATED: December 1, 2023.

Respectfully submitted,

**HAGENS BERMAN SOBOL
SHAPIRO LLP**

K&L Gates LLP

/s/ Steve W. Berman

/s/ Christopher M. Wyant

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